

### **REMARKS**

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-29, 31-32, 34-35, and 37-40 are currently pending. The present amendment amends Claims 1, 7, 13 and 27; and adds new Claims 37-40 without introducing any new matter.

In the final Office Action of September 21, 2005, Claims 1-28, 31 and 34 were rejected under 35 U.S.C. §103(a) as unpatentable over Danielson et al. (U.S. Patent No. 5,239,662, herein "Danielson") in view of Mendelson et al. (U.S. Patent No. 6,343,083, herein "Mendelson") and further in view of St-Pierre et al. (International Publication No. WO 98/37724, herein "St-Pierre"). Claims 29-30, 32-33, and 35-36 were rejected under 35 U.S.C. §103(a) as unpatentable over Danielson, in view of Mendelson, St-Pierre, and Sawyer et al. (U.S. Patent No. 6,058,115, herein "Sawyer").

In response to these rejections, Applicants filed an Amendment on December 13, 2005 amending Claims 1-3, 7-9, 13 and 27, thereby incorporating features of dependent Claims 30, 33 and 36 into independent Claims 1, 7, 13 and 27; canceling dependent Claims 30, 33 and 36; and presented arguments towards patentability of the claims.

The January 5, 2006 Advisory Action maintained the rejections of the final Office Action by commenting that the new features of dependent Claims 30, 33 and 36, added to the independent claims are open to a broad interpretation, and points out to column 7, lines 11-30 of the reference Sawyer.

In response, independent Claim 1 is now further amended to clarify the feature regarding the protocol coordination mechanism identifying protocols that are within a vocabulary of the first object and the second object. In particular, Claim 1 is amended to recite "by analyzing which types of communication are allowed in the first object and the

second object and how traffic of the communication session is to be routed through the first object and the second object, and selects a protocol that minimizes a translation burden to a router based on a result of the analyzing.” These features find non-limiting support in the disclosure as originally filed, for example from page 13, line 30 to page 14, line 3, therefore the changes are not believed to raise a question of new matter.

To vary the scope of protection recited in the claims, new dependent Claims 37-40 are added. New Claims 37, 38, 39 and 40 depend upon Claims 1, 7, 13 and 27, respectively and recite “wherein types of communication include an asynchronous communication, synchronous communication, and predetermined gradations of data rate.” New Claims 37-40 find non-limiting support in the disclosure as originally filed, for example at page 14, lines 1-2. Therefore, the new claims are also not believed to raise a question of new matter.<sup>1</sup>

In light of the amendments to the independent claims, Applicants respectfully traverse the rejections under 35 U.S.C. §103(a) and request reconsideration of these rejections and, as discussed next.

Briefly recapitulating, Applicants’ independent Claim 1 relates to a communication device including: a central controller configured to establish a communication session between a first object and a second object, the first object employing a first communication protocol used in establishing a communication session with the central controller, the first object having a first adapter configured to translate between another communication protocol that is native to the first object and the first communication protocol, the second object having a second adapter, the second object employing a second communication protocol that is not compatible with the another communication protocol. The device further includes, *inter alia*: a protocol coordination mechanism that identifies protocols that are ***within a vocabulary*** of said first object and said second object by ***analyzing*** which types of

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<sup>1</sup> See MPEP 2163.06 stating that “information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter.”

communication are allowed in the first object and the second object and ***how traffic of the communication session is to be routed through the first object and the second object***, and selects a protocol that minimizes a translation burden to a router based on a result of the analyzing.

The remaining independent claims recite similar features in the context of a communication system (Claim 7), a method for communicating between objects (Claim 13), and a system for communicating between objects (Claim 27).

As explained in Applicants' specification at page 4, lines 1-12, Claim 1 improves upon background communication devices, since it provides a central facility that helps in a fast and efficient manner different communication protocols that may be common between the two different networks so that those networks may operate in a direct communication mode.

Applicants respectfully submit that all the applied references used by the final Office Action to form a 35 U.S.C. §103(a) rejection, Danielson, Mendelson, St-Pierre, and Sawyer, fail to teach or suggest the features of amended Claim 1 regarding a protocol coordination mechanism, as next discussed.

The September 21, 2005 Office Action confirms from page 2, line 22 to page 3, line 2 that Danielson does not teach the "protocol coordination mechanism" recited in Claim 1.

The reference Mendelson describes a method for managing connections on a ATM network, wherein addresses of communication destinations are translated.<sup>2</sup> Mendelson states that "[i]n step 516, the ANC 250 acts as an Internet ARP Server "IARPS", using its own IP-to-MAC address translation cache if possible, and ***translates the specified destination IP address to a corresponding destination MAC address***" (emphasis added).<sup>3</sup> Such description does not teach or suggest "a protocol coordination mechanism that ***compares attributes of***

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<sup>2</sup> See Mendelson in the Abstract, and in Figure 5, steps 516 and 518.

<sup>3</sup> See Mendelson at column 13, lines 12-15. [Emphasis added.]

different protocols supported by said first and said second adapter” (emphasis added), as recited in Claim 1. In fact, this does not teach *any* comparison. Mendelson simply uses a cache table to find a MAC address corresponding to an IP address. Looking in a table to find one or more elements of the table corresponding to a given address does not involve comparing, but rather merely retrieving some information stored in the table. In other words, an address translation mechanism does not meet a protocol coordination mechanism. The former is a simple operation that can be accomplished by simply looking up in a correspondence table, as in Mendelson; the latter is a more sophisticated mechanism which, in particular and as recited in Claim 1, *compares* attributes of different protocols.

The September 21, 2005 Office Action also does not assert that St-Pierre teaches this feature of independent Claim 1 not taught by Danielson or by Mendelson, as discussed above.

Furthermore, Applicants believe that the applied reference Sawyer also does not teach or suggest that the protocol coordination mechanism identifies protocols that are *within a vocabulary* of said first object and said second object *by analyzing* which types of communication are allowed in the first object and the second object and *how traffic of the communication session is to be routed through the first object and the second object*, and selects a protocol that minimizes a translation burden to a router *based on a result of the analyzing*, as recited in amended independent Claim 1.

In Sawyer’s system, no protocol is selected that is within a vocabulary of the first and second objects, since Sawyer teaches that decision task 128 either selects the originating protocol or the terminating protocol.<sup>4</sup> Consequently, and as shown in Figure 4, either the originating gateway or the terminating gateway will translate the protocols.

The January 5, 2006 Advisory Action states that the feature “minimizing a translation burden” is open to a broad interpretation, and further states that “merely avoiding cancelling

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<sup>4</sup> See Sawyer at column 8, lines 6-17 and in step 128 in Figure 4.

translation [sic] due to error may be viewed as minimizing a translation burden.”<sup>5</sup> Further, the Advisory Action points out to Sawyer at column 7, lines 11-30 and asserts that this passage teaches such a feature.

However, independent Claim 1 clarifies these features, to recite the protocol coordination mechanism identifies protocols that are *within a vocabulary* of said first object and said second object *by analyzing* which types of communication are allowed in the first object and the second object and *how traffic of the communication session is to be routed through the first object and the second object*, and selects a protocol that minimizes a translation burden to a router *based on a result of the analyzing*. Sawyer discloses at column 7, lines 11-15 that a task 114 compares an operating protocol list to a terminating protocol list to determine a common protocol. Sawyer further explains that when a decision task 116 decides that a common protocol is found, a task 118 assigns both an originating protocol and a terminating protocol to the common protocol.<sup>6</sup> Accordingly, assigning a common protocol to operate as an originating protocol and a terminating protocol from a list of available protocols, as taught by Sawyer, *is not* identifying protocols that are *within a vocabulary* of said first object and said second object *by analyzing how traffic of the communication session is to be routed through the first object and the second object*, and selects a protocol that minimizes a translation burden to a router *based on a result of the analyzing*.

Accordingly, even if the combination of Danielson, Mendelson, St-Pierre and Sawyer were *in arguendo* assumed proper, Danielson, Mendelson, St-Pierre, and Sawyer whether taken alone or in combination, do not teach or suggest the above feature of amended Claim 1. Accordingly, Applicants respectfully traverse the 35 U.S.C. 103(a) rejections, and request reconsideration of the rejections.

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<sup>5</sup> See the January 5, 2006 Advisory Action at page 2, line 9.

<sup>6</sup> See Sawyer in Figure 4.

In addition, the applied references are also silent on the features of new dependent Claims 37-40. These claims recite features regarding the protocol coordination mechanism identifying protocols that are within a vocabulary of the first object and the second object by analyzing which types of communication are allowed, wherein the types of communication include an asynchronous communication, synchronous communication, and predetermined gradations of data rate. As explained above, Sawyer merely chooses a common protocol for both the terminating gateway and the originating gateway,<sup>7</sup> while Mendelson is only concerned with address translations of source and destination. Nowhere do Sawyer and Mendelson disclose or suggest analyzing what types of communication is allowed, such as asynchronous communication, synchronous communication, and predetermined gradations of data rate. Since the remaining references Danielson, Mendelson and St-Pierre fail to remedy the deficiencies of Sawyer, Applicants also believe that dependent Claims 37-40 are patentably distinct over all the applied references, taken individually or in combination.

Independent Claims 7, 13 and 27 recite limitations analogous to the limitations recited in independent Claim 1. Moreover, Claims 7, 13 and 27 have been amended in a manner analogous to the amendment to Claim 1. Therefore, in light of the above discussion and amendments, Applicant respectfully submits that independent Claims 1, 7, 13, and 27, and all associated dependent claims, patentably define over Danielson, Mendelson, St-Pierre, and Sawyer. It is therefore respectfully requested that the rejection of Claims 1-29, 31-32 and 34-35 be withdrawn.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-29, 31-32, 34-35, and 37-40 is earnestly solicited.

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<sup>7</sup> See Sawyer at column 7, lines 30-36.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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